

Approval of Feb. 6,, 2003 Minutes

REGIONAL COUNCIL ATTACHMENT #3.1.1
Thursday, March 6, 2003

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NO. 440
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

February 6, 2003

MINUTES

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at SCAG Offices downtown offices. The meeting was called to order by President Hal Bernson, City of Los Angeles.

Members Present

Councilmember Hal Bernson, Los Angeles, President	District 59
Mayor Bev Perry, Brea	1 st Vice President District 22
Supervisor Charles Smith, Orange County	2 nd Vice President
Supervisor Yvonne Burke, Los Angeles County	
Supervisor Bob Buster, Riverside County	
Supervisor Hank Kuiper, Imperial County	
Supervisor Judy Mikels, Ventura County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Greg Pettis	District 2
Councilmember Charles White, Moreno	District 3
Mayor Ron Roberts, Temecula	District 5
Councilmember Lee Ann Garcia, Grand Terrace	District 6
Councilmember Susan Longville, San Bernardino	District 7
Mayor Bill Alexander, Rancho Cucamonga	District 9
Councilmember Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Cathryn DeYoung	District 12
Mayor Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Shirley McCracken, Anaheim	District 19
Councilmember Ron Bates, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Mayor Bruce Barrows, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Melanie Andrews, Compton	District 26
Councilmember George Bass, Bell	District 27
Councilmember Bonnie Lowenthal, Long Beach	District 29
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Mayor Pro Tem Bea Proo, Pico Rivera	District 31

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Members Present – Cont’d

Councilmember Robert Bruesch, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Karen Rosenthal, Claremont	District 38
Councilmember Pam O’Connor, Santa Monica	District 41
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Mike Dispenza, Palmdale	District 43
Councilmember Dennis Washburn, Calabasas	District 44
Mayor Toni Young, Port Hueneme	District 45
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Ruth Galanter, Los Angeles	District 58
Mayor Debbie Cook, Huntington Beach	District 63
Councilmember Jeff Miller, Corona	District 64
Councilmember Robin Lowe, Hemet	RCTC

Members Not Present

Mayor Ron Loveridge, Riverside	District 4
Councilmember Deborah Robertson	District 8
Supervisor Zev Yaroslavsky County of Los Angeles	
Mayor James Hahn, Los Angeles	At-Large
Councilmember Sandra Jacobs	District 40
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Nick Pacheco, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Bert Becker, Chief Financial Officer
John Cox, Director, Planning & Assessment
Hasan Ikrata, Acting Director, Planning & Policy
Jim Sims, Director, Information Services
Shelia Stewart, Executive Assistant

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1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

2.0 PUBLIC COMMENT PERIOD

There were no comments presented at this time.

3.0 CONSENT CALENDAR

3.1 Approval Items

The following consent calendar items were MOVED (Bass), SECONDED (Proo) and UNANIMOUSLY APPROVED.

3.1.1 Approve Minutes of Jan. 9, 2003

3.1.2 Approve Request to Co-Sponsorship Los Angeles County Infrastructure Summit at no cost to SCAG to be held on Feb. 12, 2003

The item was pulled from the agenda.

3.2 Receive & File

3.2.1 Conflict of Interest Listing

3.2.2 Contracts & Purchase Orders

Contracts

- Ariston

Purchase orders

- Laser Care
- Quality Laser Cartridge
- Mini-Mailers

3.3 PRESIDENT'S REPORT

3.3.1 Appointments

- Selection of Nominating Committee

Hon. Ron Bates, Chair
Hon. Bea Proo
Hon. Bob Buster
Hon. Hank Kuiper
Hon. Judy Mikels
Hon. Susan Longville

- **Maglev Task Force**
James Fournier, District Representative,
Office of Congressman Chris Cox

Aviation Task Force
Hon. Tonia Reyes Uranga, Long Beach

3.4 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano gave an update on the 2002 RTIP Amendment. The amendment was approved by the federal agencies on January 17, 2003. He stated that staff is currently analyzing the projects submitted by the CTCs for inclusion in the 2002 RTIP Amendment 2, which is scheduled to be released to the funding agencies for their approval in mid-February.

710 Gap Closure - Assemblywoman Carol Liu, Roger Snobel, Executive Officer of Metropolitan Transportation Authority and Mark Pisano appeared before the South Pasadena City Council and requested participation in assessing the possibility of tunneling the gap closure. Without indicating support for concept, the city council indicated they would participate with other communities along the route to explore the concept.

Water Quality - Mr. Pisano reported that comments were prepared by staff on a Policy Paper issued by USEPA and the Los Angeles Regional Water Quality Control Board on Total Maximum Daily Loads and Water Quality Standards. The comments recommend a new partnership between local agencies and EPA and state water quality regulators. The comments will be forwarded to the regulators once approved by the Regional Council.

4.0 ACTION ITEMS

4.1 Administration Committee Report

4.1.1 Approve FY 2002-2003 NARC Membership Dues

The Administration Committee recommended that the Regional Council approve the NARC membership dues.

It was MOVED (Dixon), SECONDED (Perry) and UNANIMOUSLY APPROVED

4.1.2 Proposed Bylaws Amendment Concerning Representation of the Administration Committee

It was MOVED (Dixon), SECONDED (Tyler) and UNANIMOUSLY APPROVED to forward the proposed amendment to the General Assembly for consideration. In addition, Chief Counsel should review the draft language prior to submitting it to the General Assembly.

4.1.3 Authorization to Execute MOU with MTA for Transportation Model Improvements

It was MOVED (Dixon), SECONDED (Bates) and UNANIMOUSLY APPROVED to approve the MOU.

4.1.4 Amendment to the Transportation Corridor Agencies' MOU Incorporating Bus Occupancy into Annual AVO Report

It was MOVED (Dixon), SECONDED (Mikels, Bates) and UNANIMOUSLY APPROVED to approve the Amendment as submitted.

4.2 Transportation & Communications Committee (TCC) Report

4.2.1 TEA-3 Priority Projects

The "Southern California's Consensus Program for TEA-21 Reauthorization," is in its final draft form and once it is completed, will be utilized by SCAG and the county transportation commissions when lobbying for the reauthorization of the Federal transportation program "TEA-3".

The Consensus Program includes several transportation projects that are found in the 2001 Regional Transportation Plan. These projects represent a series of investment priorities that will strengthen the region's transportation system and benefit the national economy by increasing the productivity of existing national investments in the region's surface transportation system.

The TCC recommended that the Regional Council authorize SCAG staff to continue working with the county transportation commissions and other stakeholders to finalize the TEA-3 priority projects list. This list will be utilized in SCAG's Federal legislative advocacy efforts.

It was MOVED (Roberts), SECONDED (Bates) and UNANIMOUSLY APPROVED the recommendation as presented.

4.2.2 Update on State Budget Crisis

Annie Nam, SCAG staff, presented a recap on transportation funding issues. She also reported on the potential suspension of \$1.7 billion in general fund payments to transportation statewide that would include Traffic Congestion Relief Program Projects (TCRP), State Transportation Improvement Program (STIP), City & County TCRP subventions for local streets and roads, and State Transit Assistance for transit operators.

In addition Ms. Nam stated that the 2002 STIP Fund Estimate projected significantly higher revenues than are being utilized. A five year impact on the STIP could be more that \$4 billion. It was reported that the Governor expects to reduce expenditures at least in the near term by reducing operations support for transportation.

4.3 **Energy & Environment Committee (EEC) Report**

4.3.1 **Update on the 2003 SCAQMD Plan**

Councilmember Young, Chair, reported that due to the use of the latest mobile source emissions inventory model (EMFAC2002), as required by the Federal Highway Administration (FHWA), the mobile source emissions inventory has substantially increased from previous air quality plans. As a result, there is a larger than expected gap between the forecasted emissions and the Basin's estimated carrying capacity. Depending on the air quality model selected, this gap could potentially equate to around a 160 ton per day "shortfall" in volatile organic compound (VOC) emission reductions.

It should be noted that all real emission reductions have been identified and will take a collaborative effort from all stakeholders to develop an innovative strategy to bring the South Coast Air Basin into attainment with the federal 1-hour ozone standard by 2010. SCAG's emission reduction contribution to the 2003 South Coast Air Quality Management Plan (AQMP) will be approximately 17 tons per day of VOCs. This is consistent with SCAG's commitment in the previous AQMP (97/99).

4.3.2 **Draft Strategy for Developing TMDL Water Quality Standards**

During the past two years the LA Regional Water Quality Board has been responding to a 1999 federal consent decree that mandated the adoption of pollution control plans for Los Angeles and Ventura Counties. Called Total Maximum Daily Loads (TMDLs), these plans are required by the court to eliminate water quality impairments listed in the State's 303(d) listing of impaired water bodies over a period of 13 years.

SCAG has expressed concerns about the likely consequences of the current process. A widespread of public concern has resulted in a recently released draft strategy in which USEPA and the Regional Board are suggesting new approaches to the TMDL process, as well as the setting of water quality standards. Ultimately any new approaches in these critical areas will require the consent of the parties to the federal lawsuit. The Regional Council approved comments that were prepared by SCAG staff on the Proposed TMDL/Water Quality Standards.

4.4 **Community, Economic & Human Development (CEHD)**

4.4.1 **RHNA Funding Effort Update and Consideration of Options**

The Regional Council directed staff to seek from the State the full funding of the upcoming RHNA. Furthermore, work on the RHNA was suspended pending an update to the February 2003 Regional Council meeting.

Staff was directed to put together a team of elected officials including staff personnel to pursue discussions with Mark Stivers on the Senate Housing Committee; (2) That staff provide a plan for approximately \$21,000 currently in the FY community development budget for the RHNA including a description of how to spend funds the remaining FY; and (3) All SCAG staff continue to pursue potential as well as other options for funding of the RHNA program

It was MOVED (Alexander), SECONDED (bates, Mikels) and UNANIMOUSLY APPROVED to approve the recommendations.

4.4.2 Housing Legislative Direction

Mayor Alexander, Chair, stated that the CEHD recommended the following: (1) Continuing to seek Regional Housing Element Reform Priorities; (2) Support the League of California Cities and CSAC for issues affecting local government, particularly relating to the funding and budget; and (3) Continue to oppose housing element non-compliance penalties.

It was MOVED (Alexander), SECONDED (Bates, Perry) and UNANIMOUSLY APPROVED to approve the recommendations as presented.

4.5 Communications Committee Report

Councilmember Garcia, co-chair, reported that SCAG staff is currently developing an integrated and coordinated outreach program that will be incorporated into SCAG's Communication Strategy. She stated that Regional Council members will start receiving "fact sheets" about the major program areas that staff is working on. Members were asked to share the fact sheets with colleagues and others to help explain what SCAG is doing.

A Power Point on the State of the Region was prepared for making presentations to various groups. RC members were encouraged to sign-up for participation and include current email addresses. A sign-up sheet was prepared and circulated.

Supervisor Mikels recommended that shared materials be reviewed by the chairs of the Task Forces prior to their release. With regard to emailing information, she suggested staff not include graphics materials, charts, maps and other detailed documents as part of the SCAG's delivery of electronic information.

Transportation Development Act (TDA) - Councilmember Garcia stated that the task force support efforts to remove the cap on Transportation Development Act (TDA) funds received by SCAG. The current cap was established in the 1970's. Removal would provide approximately \$3 million more each year for SCAG. Staff is working on a white paper to describe how money would be spent. Removal of the cap will require legislation, and potential authors are being approached to carry the bill in Sacramento.

She recommended that a TDA Task Force be created, made up of SCAG elected officials who also serve on Transportation Commissions to focus on this critical issue.

2003 Don Hagman Award – It was announced that nominations are being sought for the 2003 Hagman Award. The Hagman Award recognizes individual citizens who have contributed to improving the quality of life in Southern California. Members were encouraged to submit nomination forms as soon as possible.

5.0 INFORMATION ITEMS

5.1 Monthly Financial Report

Bert Becker, CFO, presented an brief overview on the Monthly Financial Report. The report contained financial data regarding SCAG's cash flow, as well as budget and expense data for the first six months for the Fiscal Year 2002-2003.

5.2 Caltrans Indirect Cost Allocation Plan (ICAP) Audit & SCAG Response

Mark Pisano stated that the Audit covered the period that SCAG was implementing the 257 Best Practices recommendations and the new SAP financial and management reporting system.

The ICAP Audit covered issues from July 2001 to June 2002 which is the period SCAG was in the process of converting it to the new SAP system that went live in October 2001. There has been almost a complete restructuring of the accounting and budget divisions over the past two and one-half years. The audit covered several topics: (1) Unrecorded Liabilities; (2) Lack of Segregation of Duties (3) Lack of Written Policies and Procedures; (4) Non-Compliance with Federal Regulations; (5) No Reconciliation of SAP and Automated Data Processing (ADP) System; (6) Requisition Process; (7) Non-compliance with OMV Circular A-87; (8) Unallowable Legal and Lobbying Costs; (9) Unsupported Costs and Records Retention and (10) Over-billing of Indirect Costs.

6.0 COMMENT PERIOD

There were no comments presented at this time.

7.0 LEGAL COUNSEL REPORT

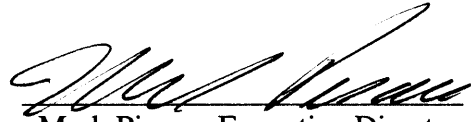
7.1 Closed Session

- Pursuant to California Government Code Section §54956.9(a) AVT-Train.com. Inc. v. U.S. 101 Freeway Corridor Improvement Study Steering Committee California DOT, LACMTA, SCAG, City of LA, Las Virgenes Malibu Council of Governments
- Pursuant to California Government Code Section §54956.9(a) SCAG v. HCD & BT&H

There was no report out.

8.0 ADJOURNMENT

The next meeting is scheduled for Thursday, March 6, 2003 at SCAG Offices.



Mark Pisano, Executive Director